

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
US Department of Commerce
United States Patent and Trademark
Office, PCT
2011 South Clark Place Room
CP2/5C24
Arlington, VA 22202
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 09 April 2001 (09.04.01)	Applicant's or agent's file reference B0187
International application No. PCT/IB99/01437	Priority date (day/month/year)
International filing date (day/month/year) 09 August 1999 (09.08.99)	
Applicant MUEHLBACH, Jobst	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
07 March 2001 (07.03.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Pascal Piriou
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference B0187	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/IB 99/ 01437	International filing date (day/month/year) 09/08/1999	(Earliest) Priority Date (day/month/year)
Applicant OPEN TV, INC. et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☒ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

4
☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PC 99/01437

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 H04N7/24 H04N5/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 H04N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 734 589 A (HUDSON JR HENRY G ET AL) 31 March 1998 (1998-03-31) column 3, line 60 -column 6, line 6 column 13, line 48 -column 14, line 8 column 15, line 11 - line 48 column 18, line 45 - line 64 column 26, line 56 -column 32, line 7	1,3,4,8, 10,11
A	abstract	2,5-7,9, 12,13
X	US 5 822 123 A (DAVIS BRUCE ET AL) 13 October 1998 (1998-10-13) column 9, line 28 -column 21, line 34	1,6-8,12
A	abstract	2-5, 9-11,13

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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the International filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the International filing date but later than the priority date claimed

- "T" later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the International search

11 April 2000

Date of mailing of the International search report

18/04/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

La, V

INTERNATIONAL SEARCH REPORT

International Application No

PCT/89/01437

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 31116 A (DIVA SYSTEMS CORP) 16 July 1998 (1998-07-16) page 3, line 1 -page 5, line 36 page 11, line 9 -page 15, line 2 page 20, line 26 -page 27, line 3	1,7,8
A	abstract; figures 5,6 ----	2-6,9-13
A	US 5 929 850 A (HAASS JON C ET AL) 27 July 1999 (1999-07-27) column 2, line 26 -column 4, line 5 abstract ----	1-13
A	EP 0 735 766 A (SONY TELECOM EUROP NV) 2 October 1996 (1996-10-02) column 3, line 55 -column 4, line 21 column 5, line 58 -column 6, line 33 column 12, line 26 - line 48 figure 1 ----	1-13
A	EP 0 827 340 A (MATSUSHITA ELECTRIC IND CO LTD) 4 March 1998 (1998-03-04) abstract ----	1-13
A	EP 0 757 485 A (TOKYO SHIBAURA ELECTRIC CO) 5 February 1997 (1997-02-05) column 36, line 24 -column 38, line 7 abstract ----	1,3,8,10
A	EP 0 396 062 A (CABLESHARE INC) 7 November 1990 (1990-11-07) column 12, line 32 -column 15, line 46 -----	1,3,8,10

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/JP 99/01437

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5734589 A	31-03-1998	US 5666293 A US 5768539 A US 5978855 A	09-09-1997 16-06-1998 02-11-1999
US 5822123 A	13-10-1998	US 5781246 A AU 708462 B AU 3640197 A BR 9710049 A CA 2258228 A EP 0908052 A JP 2000501579 T PL 330851 A WO 9750251 A US 5585866 A US 5589892 A US 6014184 A	14-07-1998 05-08-1999 14-01-1998 10-08-1999 31-12-1997 14-04-1999 08-02-2000 07-06-1999 31-12-1997 17-12-1996 31-12-1996 11-01-2000
WO 9831116 A	16-07-1998	AU 5796798 A EP 0950317 A	03-08-1998 20-10-1999
US 5929850 A	27-07-1999	AU 3648197 A EP 0909512 A WO 9800975 A	21-01-1998 21-04-1999 08-01-1998
EP 0735766 A	02-10-1996	AU 5498796 A WO 9631061 A	16-10-1996 03-10-1996
EP 0827340 A	04-03-1998	CN 1191449 A JP 10126753 A	26-08-1998 15-05-1998
EP 0757485 A	05-02-1997	JP 9046651 A JP 9046652 A JP 9046653 A JP 9046654 A JP 9046655 A JP 9046656 A CA 2182456 A CN 1148775 A US 5903262 A AU 6077596 A	14-02-1997 14-02-1997 14-02-1997 14-02-1997 14-02-1997 14-02-1997 01-02-1997 30-04-1997 11-05-1999 06-02-1997
EP 0396062 A	07-11-1990	US 5014125 A CA 2015912 A DE 69028944 D DE 69028944 T JP 3021185 A	07-05-1991 05-11-1990 28-11-1996 03-04-1997 29-01-1991

(19) World Intellectual Property Organization
International Bureau



(43) International Publication Date
15 February 2001 (15.02.2001)

PCT

(10) International Publication Number
WO 01/11887 A1

(51) International Patent Classification⁷: H04N 7/24, 5/00

(21) International Application Number: PCT/IB99/01437

(22) International Filing Date: 9 August 1999 (09.08.1999)

(25) Filing Language: English

(26) Publication Language: English

(71) Applicant (for all designated States except US): OPEN
TV, INC. [US/US]; 401 East Middlefield Road, Mountain
View, CA 94043 (US).

(72) Inventor; and

(75) Inventor/Applicant (for US only): MUEHLBACH, Jobst
[DE/FR]; 184, Quai de Jemmapes, F-75010 Paris (FR).

(81) Designated States (national): AE, AL, AM, AT, AU, AZ,
BA, BB, BG, BR, BY, CA, CH, CN, CU, CZ, DE, DK, EE,
ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP,
KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD,
MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD,
SE, SG, SI, SK, SL, TJ, TM, TR, TT, UA, UG, US, UZ,
VN, YU, ZA, ZW.

(84) Designated States (regional): ARIPO patent (GH, GM,
KE, LS, MW, SD, SL, SZ, UG, ZW), Eurasian patent (AM,
AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT,
BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC,
NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA,
GN, GW, ML, MR, NE, SN, TD, TG).

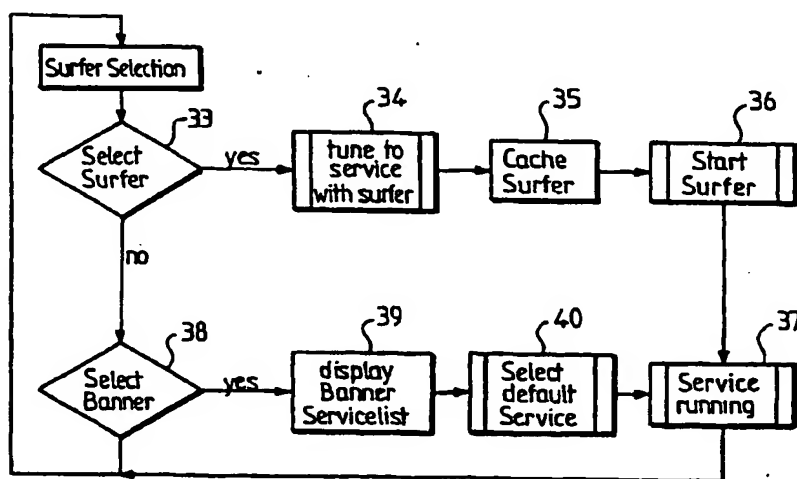
Published:

— With international search report.

(74) Agent: FREEMAN, Jacqueline, C.; W.P. Thompson &
Co., Celcon House, 289-293 High Holborn, London WC1V
7HU (GB).

For two-letter codes and other abbreviations, refer to the "Guid-
ance Notes on Codes and Abbreviations" appearing at the begin-
ning of each regular issue of the PCT Gazette.

(54) Title: SERVICE BROWSER PROCESS AND RELATED SYSTEM



(57) Abstract: The invention concerns a service browser process and a system for controlling navigation events between a plurality of services and/or channels of a digital interactive Radio-Broadcasting system (1). The process proposes the services to a user and enables the navigation to other services or channels through control means (15). The broadcasted applications being categorised into at least two types including a first type termed Surfer application designed for controlling navigation and having knowledge of services, the process comprises the steps of identifying (21) Surfer applications from other types of applications, selecting (33) a particular Surfer application, downloading (27, 35) such selected Surfer application within a dedicated part (22) of the Decoder memory (20), called Surfer Cache, and executing (36) the selected Surfer application from the Surfer Cache, whereby the Decoder is under control of the Surfer application.

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference JCF/P501307WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB99/01437	International filing date (day/month/year) 09/08/1999	Priority date (day/month/year) 09/08/1999
International Patent Classification (IPC) or national classification and IPC H04N7/24		
Applicant OPEN TV, INC. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 07/03/2001	Date of completion of this report 19.11.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Schinnerl, A Telephone No. +49 89 2399 8609 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IB99/01437

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-37 as originally filed

Claims, No.:

1-13 as originally filed

Drawings, sheets:

1-6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IB99/01437

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 2-7,9-13
	No: Claims 1,8
Inventive step (IS)	Yes: Claims
	No: Claims 1-13
Industrial applicability (IA)	Yes: Claims 1-13
	No: Claims

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1 Reference is made to the following documents:

D1: US-A-5 734 589 (HUDSON JR HENRY G ET AL) 31 March 1998 (1998-03-31)

D2: US-A-5 822 123 (DAVIS BRUCE ET AL) 13 October 1998 (1998-10-13)

D3: WO 98 31116 A (DIVA SYSTEMS CORP) 16 July 1998 (1998-07-16)

- 2 The subject-matter of claims 1 and 8 lacks novelty (Article 33(2) PCT).

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

A service browser process for controlling navigation events between a plurality of services and channels of a digital interactive radio broadcasting system including at least one digital Interactive decoder (abstract; figure 1), said system broadcasting applications to be received by said decoder, wherein the process proposes said services to a user of said decoder and enables the navigation to other services or channels through control means activated by said user (column 4, lines 12-38; column 26, line 56 - column 27, line 19), wherein the applications being categorised into at least two types of applications including a first type termed surfer application designed for controlling said navigation and having knowledge of said services (column 15, lines 11-48; column 26, line 56 - column 27, line 19), the process comprises the steps of : (i) identifying surfer applications from other types of applications (column 13, line 48 - column 14, line 9), (ii) selecting a particular surfer application (column 13, lines 48-65), (iii) downloading such selected surfer application within a dedicated part of the decoder memory

(column 13, lines 48-65; figure 2), called surfer cache, and (iv) executing said selected surfer application from said surfer cache, whereby the decoder is under control of said Surfer application (column 15, lines 11-48).

Therefore, document D1 discloses a process falling within the terms of claim 1.

The foregoing objection applies equally to the closely related system claim 8.

It is noted that the subject-matter of claims 1 and 8 is also disclosed in documents D2 (see abstract; column 10, lines 30-67; column 17, lines 15-45; figures 1 and 6) and D3 (see abstract; figures 1 and 5).

- 3 Dependent claims 2-7 and 9-13 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, involve an inventive step because these claims concern commonplace features which are either derivable from the documents cited in the International Search Report (eg claims 2 and 9: D2, column 10, lines 30-37 or D1, column 15, lines 28-36; claims 4 and 11: D1, figure 5; claims 6 and 12: D1, column 4, lines 56-67) or obvious to a skilled person.
- 4 Industrial applicability: in the field of service browser systems.

Re Item VII

Certain defects in the international application

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D3 is not mentioned in the description, nor are these documents identified therein.

PATENT COOPERATION TREATY

COPY PCT

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:

FREEMAN, Jacqueline, Carol
W.P. Thompson & Co.
Celcon House
289-293 High Holborn
London WC1V 7HU
GRANDE BRETAGNE

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing
(day/month/year) 19.11.2001

Applicant's or agent's file reference
JCF/P501307WO

IMPORTANT NOTIFICATION

International application No.
PCT/IB99/01437

International filing date (day/month/year)
09/08/1999

Priority date (day/month/year)
09/08/1999

Applicant
OPEN TV, INC. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized officer

Schalinatus, D


Tel. +49 89 2399-8242



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Article 36 and Rule 70)

Applicant's or agent's file reference JCF/P501307WO		FOR FURTHER ACTION		See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IF/416)
International application No. PCT/IB99/01437		International filing date (day/month/year) 09/08/1999	Priority date (day/month/year) 09/08/1999	
International Patent Classification (IPC) or national classification and IPC H04N7/24				
Applicant OPEN TV, INC. et al.				
<p>1. This international preliminary examination report has been prepared by this International Preliminary Examination Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of sheets.</p>				Authority
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input checked="" type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application 				
Date of submission of the demand 07/03/2001		Date of completion of this report 19.11.2001		
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465		Authorized officer Schinnerl, A Telephone No. +49 89 2399 8609		



**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IE 9/01437

I. Basis of the report

1. With regard to the elements of the international application (*Replacement sheets which have been fully filed to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*):

Description, pages:

1-37 as originally filed

Claims, No.:

1-13 as originally filed

Drawings, sheets:

1-6 as originally filed

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

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- ☐ the language of a translation furnished for the purposes of the international search (under Rule 17.1(b)).
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- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

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- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/IB 9/01437**

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims 2-7,9-13
	No:	Claims 1,8
Inventive step (IS)	Yes:	Claims
	No:	Claims 1-13
Industrial applicability (IA)	Yes:	Claims 1-13
	No:	Claims

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1 Reference is made to the following documents:

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D2: US-A-5 822 123 (DAVIS BRUCE ET AL) 13 October 1998 (1998-10-13)
D3: WO 98 31116 A (DIVA SYSTEMS CORP) 16 July 1998 (1998-07-16)

2 The subject-matter of claims 1 and 8 lacks novelty (Article 33(2) PCT).

The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and discloses (the references in parentheses applying to this document):

A service browser process for controlling navigation events between a plurality of services and channels of a digital interactive radio broadcasting system including at least one digital Interactive decoder (abstract; figure 1), said system broadcasting applications to be received by said decoder, wherein the process proposes said services to a user of said decoder and enables the navigation of other services or channels through control means activated by said user (column 4, lines 12-38; column 26, line 56 - column 27, line 19), wherein the applications being categorised into at least two types of applications including a first type termed surfer application designed for controlling said navigation and having knowledge of said services (column 15, lines 11-48; column 26, line 56 - column 27, line 19), the process comprises the steps of : (i) identifying surfer applications from other types of applications (column 13, line 48 - column 14, line 9), (ii) selecting a particular surfer application (column 13, lines 48-65), (iii) downloading such selected surfer application within a dedicated part of the decoder memory

(column 13, lines 48-65; figure 2), called surfer cache, and (iv) executing said selected surfer application from said surfer cache, whereby the decoder is under control of said Surfer application (column 15, lines 11-48).

Therefore, document D1 discloses a process falling within the terms of claim

The foregoing objection applies equally to the closely related system claim 8.

It is noted that the subject-matter of claims 1 and 8 is also disclosed in documents D2 (see abstract; column 10, lines 30-67; column 17, lines 15-45; figures 1 and 6) and D3 (see abstract; figures 1 and 5).

- 3 Dependent claims 2-7 and 9-13 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, involve an inventive step because these claims concern commonplace features which are either derivable from the documents cited in the International Search Report (e.g. claims 2 and 9: D2, column 10, lines 30-37 or D1, column 15, lines 28-36; claims 4 and 11: D1, figure 5; claims 6 and 12: D1, column 4, lines 56-67) or obvious to a skilled person.

- 4 Industrial applicability: in the field of service browser systems.

Re Item VII

Certain defects in the international application

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1-D3 is not mentioned in the description, nor are these documents identified therein.